



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Authorize City Clerk to Grant Application for Leave to Present a Late Claim, filed on behalf of Alexis Gribaudo, a minor, pursuant to Government Code section 911.6(b)(2)

MEETING DATE: January 20, 2010

PREPARED BY: Deputy City Attorney

RECOMMENDED ACTION: Authorize City Clerk to Grant Application for Leave to Present a Late Claim, filed on behalf of Alexis Gribaudo, a minor, pursuant to Government Code section 911.6(b)(2).

BACKGROUND INFORMATION: An Application for Leave to Present a Late Claim was filed with the City Clerk on behalf of Alexis Gribaudo, a minor, pursuant to Government Code section 911.4 on December 17, 2009. The Application was filed almost six months after the expiration of the statutory period in which the claim was to be filed, based on the December 23, 2008 date of loss. Government Code section 911.2 requires that claims against public entities, with limited exception, be filed within six months of the accrual of the action giving rise to the claim. Because the applicant seeking relief from the claims-filing requirements in this instance is a minor, Government Code section 911.6(b)(2) requires that relief be granted to permit the filing of her claim so long as it is within one year of the accrual of the loss and applicant was a minor during all relevant time periods. Because applicant qualifies for relief under Section 911.6(b)(2), it is recommended that the Council authorize the City Clerk to grant the Application and accept the claim of Alexis Gribaudo, a minor, for filing effective December 17, 2009.

FUNDING: Not Applicable.


Janice D. Magdich
Deputy City Attorney

APPROVED: 
Blair King, City Manager